

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Jürgen Dorn and Michael Vogel
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For: VARIABLE SPEED SELF-EXPANDING STENT DELIVERY SYSTEM
AND LUER LOCKING CONNECTOR
Examiner: Not Yet Assigned
Art Unit: Not Yet Assigned

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MAIL STOP PATENT APPLICATION
Commissioner for Patents
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PRELIMINARY REMARKS RE: INTERFERING APPLICATIONS

Sir:

This application includes continuing subject matter from the United States national application Serial No. 10/476,351, received by the PCT/PTO on October 30, 2003 and Serial No. 10/481,351, received by the PCT/PTO on December 19, 2003, as well as the PCT and priority applications referred to in the unsigned declaration accompanying this application.

This application also includes claims copied from two published United States patent applications, both filed by Jon Buzzard and Frederick Feller III. The claims have been copied from the Buzzard et al. applications to enable the examiner to consider whether an interference between the present application and those published applications should be declared.

Applicants' present claims 6, 7, 8, 9, 10 and 11 correspond identically to claims 1, 2, 4, 5, 6 and 8 of Buzzard et al. application serial no. 09/975,873 filed October 12, 2001 (published September 4, 2003 as publication no. US 2003/0167060 A1). Claims 12-24 of this application correspond identically to claims 1, 4, 5, 6, 9, 10, 11, 12, 14, 16, 17, 18 and 19, respectively of Buzzard et al. application serial no. 10/175,113 filed June 19, 2002 (published April 17, 2003 as publication no. US 2003/0074045 A1).

At least two counts are proposed as follows:

Count I

A medical device delivery system for therapeutically treating a patient, comprising:

- an inner shaft, having proximal and distal ends;
- a tubular outer sheath, at least a portion of which surrounds a portion of the inner shaft member;
- a medical device within the outer sheath in an initial configuration;
- a handle operatively coupled with the inner shaft and the outer sheath;
- the handle having a first and second actuator for adjusting the relative positions of the inner shaft and the outer sheath, each of the first and second actuators providing a different amount of mechanical advantage between an input to one of the first and second actuators by a physician and a resulting relative position of the inner shaft and the outer sheath respectively.

Proposed Count I is identical to claim 6 in this application and claim 1 in Buzzard application serial no. 09/975,873.

Count II

A medical device delivery system for therapeutically treating a patient, comprising:

- an inner shaft, having proximal and distal ends;
- a tubular outer sheath, at least a portion of which surrounds a portion of the inner shaft member;
- a medical device within the outer sheath in an initial configuration;

a handle operatively coupled with the inner shaft and the outer sheath;

the handle having a first and second actuator for adjusting the relative positions of the inner shaft and the outer sheath, each of the first and second actuators providing a different amount of mechanical advantage between an input to one of the first and second actuators by a physician and a resulting relative position of the inner shaft and the outer sheath respectively; and

a locking member that releasably holds the outer sheath relative to the inner shaft in an initial configuration, thereby holding the outer sheath in the initial configuration and tending to resist inadvertently uncovering the medical device.

Proposed Count II is identical to claim 12 of this application and claim 1 of Buzzard application serial no. 10/175,113.

An interference should be declared because the present application interferes with each of the Buzzard et al. applications. Applicants' priority dates extend back to April 30, 2001 and June 19, 2001.

Respectfully submitted,



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